

SENATE BILL NO. 195

INTRODUCED BY E. BUTCHER

A BILL FOR AN ACT ENTITLED: "AN ACT REGULATING THE METHOD OF PROVIDING INTRASTATE LONG-DISTANCE TELEPHONE SERVICES; PROVIDING THAT INTRASTATE LONG-DISTANCE CHARGES MAY ONLY BE BILLED TO CUSTOMERS IN INCREMENTS OF HOURS, MINUTES, OR SECONDS; REQUIRING THAT BILLING METHODS BE CLEARLY AND CONSPICUOUSLY LISTED IN SERVICE CONTRACTS AND BILLING STATEMENTS; PROVIDING A PENALTY FOR VIOLATION; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Pricing of long-distance service.** (1) Telecommunications carriers providing intrastate long-distance services to customers in this state shall establish rates in increments of hours, minutes, or seconds for each long-distance call.

(2) A telecommunications carrier offering intrastate long-distance services may not bill customers using any formula of structured units that is not established in terms of hours, minutes, or seconds for each long-distance call.

(3) (a) A telecommunications carrier that enters into a contract with a customer to provide intrastate long-distance services shall clearly and conspicuously in the contract, in a size equal to at least 12-point bold type, describe when charges will begin and end and the unit of time in which the charges will be billed.

(b) All base rates, charges, or fees must be individually itemized and defined in the summary of the bill in a size equal to at least 12-point bold type.

(4) A company violating subsection (1) is liable to:

(a) the customer for 10 times the amount of the total charges during the period of the violation; and

(b) the state for the penalty provided for in 69-3-206.

(5) In a suit or enforcement action brought against a telecommunications carrier providing intrastate long-distance services, the prevailing party is entitled to recover costs and attorney fees in an

1 amount that the court finds reasonable.

2

3 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an
4 integral part of Title 69, chapter 3, and the provisions of Title 69, chapter 3, apply to [section 1].

5

6 NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2001.

7

8 NEW SECTION. **Section 4. Applicability.** [This act] applies to contracts entered into and rates
9 established on or after [the effective date of this act].

10 - END -